



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Quality

Darrin Polhemus, Deputy Director
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Arnold Schwarzenegger
Governor

January 5, 2009

Mr. Kris Kane
OPW Fueling Components
P.O. Box 405003
Cincinnati, OH 45240-5003

Dear Mr. Kane:

EVALUATION OF OPW 1-3100 SERIES SPILL CONTAINER

As you know, Assembly Bill 2955 (Statutes 2004, Chapter 649) added section 25290.1.2(a) to Chapter 6.7 of the Health and Safety Code (H&SC). This section requires the Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to certify, to the best of their knowledge and using existing resources, that equipment meeting the ARB's Enhanced Vapor Recovery (EVR) requirements also meets underground storage tank (UST) statutory requirements.

On October 23, 2008 we received an information packet from you requesting certification of an OPW fueling component of a Phase I Vapor Recovery system. The proposed fueling component is the OPW 1-3100 Series Spill Container. The proposed modifications were reviewed by a California Registered Professional Engineer, as indicated in the enclosed signed statement. Based on this signed statement and the supporting information that you provided, we have found no evidence that the OPW 1-3100 Series Spill Container conflicts with H&SC Chapter 6.7.

Pursuant to H&SC section 25290.1.2(a) the State Water Board certifies that, to the best of its knowledge, the OPW 1-3100 Series Spill Container meets the requirements of H&SC Chapter 6.7. This determination assumes the OPW 1-3100 Spill Containers are installed in accordance with applicable ARB Executive Orders and manufacturer's instructions.

If you have questions regarding this letter, please contact Ms. Laura Chaddock at (916)341-5870, or by email at lcaddock@waterboards.ca.gov.

Sincerely,

Darrin Polhemus,
Deputy Director
Division of Water Quality

Enclosure

California Environmental Protection Agency

Mr. Kris Kane

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January 5, 2009

cc: Mr. George Lew, Chief
ARB Engineering and Certification Branch
1927 13th Street
Sacramento, CA 95812

Appendix

Certification Statement for the OPW 1-3100 Series Spill Container¹

Based on a careful review and analysis, I hereby certify that the OPW 1-3100 Series Spill Container which is under consideration for California Air Resources Board (ARB) certification, meets the requirements of Chapter 6.7 of the California Health and Safety Code (the State Water Resources Control Board's underground storage tank requirements, including enhanced leak detection and continuous vacuum, pressure, or hydrostatic monitoring.)²

The OPW 1-3100 Series Spill Container warranty is valid as long as the system is installed, operated, and maintained according to manufacturer's instructions and in a manner that does not exceed the limitations (e.g., tank capacity, fueling points, throughputs, etc.) described below.

Limitations:

For new construction installations after July 1, 2003 the OPW 1-3100 Series must be installed in a containment sump, the OPW 1-3100 Series Spill Containment may not be used as a direct bury for new construction installations as it does not meet the construction requirements of California Health & Safety Code paragraphs 25290.2(j) and 25290.1(k).

Aaron M. Newman P.E. 12/30/08
Signed by _____ Date _____
(California Professional Engineer)

Aaron M. Newman P.E.
Printed Name (California Professional Engineer)

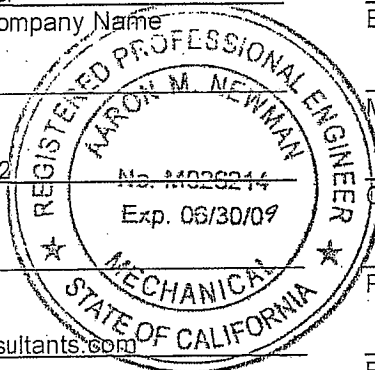
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Phone Number

anewman@dcvconsultants.com
Email



Kris Kane 12/30/08
Signed by _____ Date _____
(Company Representative)

Kris Kane
Printed Name (Company Representative)

OPW Fueling Components
Equipment Manufacturer Name

PO Box 405003
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Cincinnati, OH, 45240
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513-870-3162
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Email

¹This certification statement is part of the guidelines developed by the California Air Resources Board (ARB) and State Water Resources Control Board (State Water Board) to implement provisions of Assembly Bill 2955 (Statutes 2004, Chapter 649: McCarthy).

²This certification is based on the presumption that the OPW 1-3100 Series Spill Container is constructed, installed, maintained, and operated in accordance with all applicable requirements of Chapter 6.7 of California Health and Safety Code and Chapter 16 of California Code of Regulations.